

8975. Misbranding of Dr. Martel's Female Pills. U. S. * * * v. 26 Packages of Dr. Martel's Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13578. I. S. No. 11542-t. S. No. C-2376.)

On August 24, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 26 packages of Dr. Martel's Female Pills, remaining in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped by the French Drug Co., New York, N. Y., on or about February 26, 1920, and transported from the State of New York into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Female Pills * * * for (suppression of the menses) dysmenorrhœa (painful menstruation) and similar functional derangements;" (circular) "Female Pills * * * For Disturbances of the Menstrual Functions * * * For Amenorrhœa (suppression of the menses) * * * treatment * * * should be continued until relief is obtained. For Dysmenorrhœa (Painful or Scanty Menstruation) * * * our medicine will be found to give lasting benefit and genuine relief * * * To prevent difficult, painful, over-profuse and other morbid menstrual conditions, and keep this important function normal, take * * * for a few days before the expected reappearance * * * the menstrual flow."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of oil of savin and ferrous sulphate and carbonate.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements on each of said packages, with respect to the curative and therapeutic effects of said articles, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On October 8, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8976. Misbranding of Wendell's Ambition Pills. U. S. * * * v. 12 Packages, Large Size, 29 Packages, Small Size, 9 Packages, Large Size, and 95 Packages, Small Size, of Wendell's Ambition Pills. (F. & D. Nos. 13544, 13641. I. S. Nos. 1209-t, 1210-t, 11543-t. S. Nos C-2168, C-2171.)

On or about August 30, 1920, and September 4, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 12 packages, large size, 29 packages, small size, 9 packages, large size, and 95 packages, small size, of Wendell's Ambition Pills, remaining in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped by the Wendell Pharmacal Co., Syracuse, N. Y., on or about May 27, 1920, May 7, 1920, June 10, 1920, and July 14, 1920, and transported from the State of New York into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Carton, both sizes) "* * * Pills Ambition Brand Beneficial in the treatment of * * * Nervous Debility, Sleeplessness, Despondency, Mental Depression, Hysteria, Nervous Headaches, Dyspepsia, Indigestion, * * * Affections of the Nervous System."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloin, quinine, and nux vomica.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements upon each of said packages, regarding the curative and therapeutic

effects of said article, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On October 8, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8977. Misbranding of Compound Tansy, Pennyroyal, and Cotton Root Pills and Allan's Star Brand Pills. U. S. * * * v. 4 Boxes of Compound Tansy, Pennyroyal, and Cotton Root Pills and U. S. * * * v. 4 Boxes of Allan's Star Brand Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13754, 13755. Inv. Nos. 23296, 23299. S. Nos. C-2539, C-2540.)

On or about October 7, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 4 boxes of Compound Tansy, Pennyroyal, and Cotton Root Pills and 4 boxes of Allan's Star Brand Pills, at Blytheville, Ark., alleging that the articles had been shipped on or about August 20, 1920, and November 1, 1919, respectively, by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., and transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples by the Bureau of Chemistry of this department showed that the Compound Tansy, Pennyroyal, and Cotton Root Pills consisted essentially of aloes, ferrous sulphate, and oil of pennyroyal, and that Allan's Star Brand Pills consisted essentially of ferrous sulphate, aloes, and starch.

It was alleged in substance in the libels that the articles were misbranded for the reason that there appeared upon the circulars inclosed in the boxes containing the articles the following statements, regarding the curative and therapeutic effects of said articles, (Compound Tansy Pills) "A safe and effectual remedy in suppressed or painful menstruation * * * Four or five days immediately preceding the expected appearance of the menstrual flow active treatment should begin. Take one pill three times daily * * * To prevent irregularities * * * Take one pill three times daily for four or five days preceding the expected appearance of the menstrual period. For painful menstruation. The same treatment prescribed for suppression," (Allan's Star Brand Pills) "A good remedy in suppressed or painful menstruation * * * to bring on the menses * * * Immediately preceding the expected appearance of the menstrual flow * * * treatment should begin * * * take one pill * * * continue this treatment * * * until a satisfactory result is secured * * * to prevent irregularities * * * take one pill * * * four or five days preceding the expected appearance of the menstrual period * * * For painful menstruation * * * The same treatment prescribed for suppression," all of which statements were false and fraudulent for the reason that the articles contained no ingredients or combination of ingredients capable of producing the effects claimed for them.

On November 22, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8978. Adulteration and misbranding of oil of birch. U. S. * * * v. 1 Can * * * of a Product Purporting to be Oil of Birch. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13861. I. S. No. 6463-t. S. No. E-2874.)

On November 15, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of